GREENSVILLE COUNTY BOARD OF SUPERVISORS AGENDA – MONDAY, MARCH 2, 2020 6:00 P.M. – CLOSED SESSION 7:00 P.M. - REGULAR SESSION

ITEM NO.	DES	CRIPTION
I.	CAL	L TO ORDER – 6:00 P.M.
II.		SED SESSION - Section 2.2-3711 (a) 1) Personnel, 3, Acquisition and osition of Real Property, 5) Business and/or Industry and 7) Legal Matters
	A.	Personnel Matters
	B.	Disposition of Real Property Matters
	C.	Business and or/ Industry Matters
	D.	Legal Matters
Ш.	RET	URN TO REGULAR SESSION
IV.	<u>CER</u>	TIFICATION OF CLOSED MEETING - Resolution #20-101
V.	<u>APPI</u>	ROVAL OF AGENDA
VI.	APPI	ROVAL OF CONSENT AGENDA
	A.	Approval of Minutes – See Attachment – <u>H.</u>
	B.	Budgetary Matters – See Attachment – <u>I.</u>
	C.	Warrants – See Attachment – \underline{J} .
	D.	Resolution#20-105 - Personnel Matters Resulting from Closed Session
VII.	PUB	LIC HEARING – 7:00 P.M.
	A.	Zoning Matters – See Attachment – <u>K.</u>
VIII.	RET	URN TO REGULAR SESSION

IX. <u>ACTION RESULTING FROM PUBLIC HEARING</u>

A. Zoning Matters

X. <u>ITEMS WITH APPOINTMENTS</u>

A. Unveiling of Portraits

XI. <u>CITIZENS COMMENTS</u>

XII. <u>OTHER MATTERS</u>

- A. Golden Leaf Commons Rental
- B. Vehicle Tax Exemption for County Fire/EMS Volunteers See Attachment \underline{L} .

XIII. <u>MISCELLANEOUS MATTERS</u>

- A. Staff Work Programs
- B. Staff Meeting Minutes

XIV. <u>ADJOURNMENT</u>

At the Regular Meeting, of the Greensville County Board of Supervisors, held on Tuesday, February 18, 2020, with Closed Session being held at 6:00 P.M. and Regular Session being held at 7:00 P.M., in the Board Room of the Greensville County Government Building, 1781 Greensville County Circle, Emporia, Virginia.

Present:

Belinda D. Astrop, Chairman

James R. Brown, Vice-Chairman

Tony M. Conwell William B. Cain

Chairman Astrop called the meeting to order at 6:00 P.M.

In Re: Closed Session

Mrs. Brenda Parson, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, 3) Acquisition/Disposition of Real Property and 7) Legal Matters.

Supervisor Conwell moved, seconded by Supervisor Brown, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Brown, Cain, Conwell and Chairman Astrop.

In Re: Regular Session

Chairman Astrop reconvened the meeting at which time she led the Pledge of Allegiance and Rev. Dr. A. Eugene Wiggins gave the Invocation.

Mrs. Parson stated that Staff recommended the Board of Supervisors return to Regular Session.

Supervisor Conwell moved, seconded by Supervisor Brown, to go into Regular Session. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Certification of Closed Meeting - Resolution #20-95

Supervisor Conwell moved, seconded by Supervisor Brown, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

RESOLUTION #20-95 CERTIFICATION OF CLOSED MEETING

WHEREAS, the Greensville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greensville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greensville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greensville County Board of Supervisors.

In Re: Approval of Agenda

Mrs. Parson stated that Staff recommended the Board of Supervisors approve the Agenda with no added items.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve the agenda as submitted. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Consent Agenda

Mrs. Parson stated that Staff recommended approval of the Consent Agenda consisting of the following:

Minutes of February 3, 2020.

Budgetary Matters consisting of the following: Fund #001 - Journal Voucher #4, in the amount of, \$1,016.50, which is incorporated herein by reference.

Warrants:

Approval of Accounts Payable for February 18, 2020, in the amount of, \$557,807.01.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve the Consent Agenda. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Public Hearing

Mrs. Parson stated that Staff recommended the Board go into Public Hearing to solicit public comments regarding Zoning Matters.

Supervisor Conwell moved, seconded by Supervisor Brown, to go into Public Hearing. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: SP-1-20, Jarratt Energy Facility

Mr. Lin Pope, Director of Planning, addressed the Board stating the Jarratt Energy Facility requested that the Public Hearing be rescheduled. He stated that they had another public hearing at another location about five hours from here. He further stated that Staff would readvertise and send notices to all the adjacent landowners, at the applicant's expense, for the next Board meeting.

In Re: ZMA-1-20, Michael Lee Grizzard

Mr. Pope stated that the applicant requested to rezone property from B-2, general commercial to R1-B, residential. The property was located 2,800 feet northwest of Allen Road, and St. Hwy 610 on the east side of Wyatts Mill Road, St. Hwy, 608 in Election District Four. He then stated that Staff and the Planning Commission recommended approval.

Mrs. Parson asked if anyone was present to speak in favor or in opposition of the Zoning Matter. There was no one.

In Re: Return to Regular Session

Mrs. Parson stated that Staff recommended the Board return to Regular Session.

Supervisor Conwell moved, seconded by Supervisor Brown, to return to Regular Session. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: SP-1-20, Jarratt Energy Facility

Mrs. Parson stated Jarratt Energy Facility Zoning Matter was deferred until the next meeting.

In Re: ZMA-1-20, Michael Lee Grizzard

Supervisor Conwell moved, seconded by Supervisor Brown, to approve ZMA-1-20. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Dr. Kim Evans, Superintendent of Public Schools

Dr. Kim Evans, Superintendent of Public Schools, addressed the Board of Supervisors stating that a few years ago, a Community Stake Holders Group was convened and a discussion from that group identified Greensville County High School as a major priority for Capital Improvement Projects. She stated that a few months ago, the City invited GCPS to join them on their energy performance contract and because the school had large capital projects, the School Board decided to participate. She also stated that the Honeywell team, led by Joyce Coleburn, would detail their proposal and cost estimates for the upgrades approved by the School Board at their last meeting on February 10, 2020. Dr. Evans further stated that it included items such as new lighting in all buildings and facilities division wide, new windows for the high school, removing steam heating systems and moving to a propane source. She then introduced Ms. Joyce Coleburn with Honeywell.

In Re: Ms. Joyce Coleburn with Honeywell

Ms. Joyce Coleburn, Sr. Account Manager, with Honeywell, stated that they had been a part of GCPS for the past 30 years, providing maintenance for the high school systems. She stated that they were selected as a partner of choice to try and help use energy savings to reallocate for Capital Improvements. She also stated that there were no additional funds needed for a soft funding project. Ms. Coleburn stated that it was not a savings, but a reallocation of the school's utility budget to pay for capital debt. She stated after Honeywell had measured and verified that if it did not achieve the savings as stated, Honeywell would write a check. She further stated even if the school saved more than what was stated in the two-year period, and less in the third year, Honeywell would have to write a check in the third year. Ms. Coleburn stated the plan had all been prepared by energy managers to insure that the savings were real and measurable. She stated that if the savings were not enough, then Honeywell would pay the difference. She further stated that they help schools become safe, comfortable and efficient and never jeopardize the safety of the students or environment to save money.

Ms. Coleburn introduced Mr. Peter Monstello, Account Technical Manager with Honeywell, to review the specific project. He then reviewed the scope of the project, the financial model, the timeline and how to move forward. Mr. Monstello bought to the Board's attention that a down payment in the amount of \$466,095 would be required. He noted this amount could be financed, but would require approximately \$30,000 more in debt service per year.

Supervisor Cain asked questions regarding the debt service and down payment. After review of the powerpoint, Mr. Monstello stated that for year one, the debt service payment would be \$170,000 and the measure and verification cost would be \$7,143 for a total expense in year one of \$177,143 and the reduction in utility spent would equal that amount. He stated that if not, Honeywell would pay the difference.

Supervisor Brown asked questions regarding what Honeywell meant when they mentioned the safety of students. Mr. Monstello stated that they tried to perform most of the work over the summer; hopefully, having the project finished by the time school reopened. They also pass out newsletters to the faculty, staff, and students regarding the progress of the project throughout the remainder of the project.

Mrs. Parson asked if the Board would be given both alternatives to consider, one with the \$466,000 included and one without. Mr. Monstello stated they would develop an RFP for both scenarios of financing.

Mr. Monstello then reviewed the entire timeline for the project once again and stated that the execution of the project would be from April through September with the majority of the work being done over the summer months.

Mrs. Lexi Jones addressed the Board on behalf of the Greensville County School Board. Mrs. Jones stated that for the project to adhere to the April-September 2020 timeframe and for continued efforts of working on the budget and financial endeavors, she was requesting action to

be taken. She stated that they would like to move forward with seeking RFP's for financing options.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve moving forward with the project and RFP's. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Presentation of the FY2019 Audit by Mr. Matthew A. McLearen with Robinson, Farmer, Cox

Mr. McLearen, CPA with Robinson, Farmer, Cox, addressed the Board of Supervisors and gave an overview of the FY2019 Audit. He further stated that he was pleased to report that there were no wrong findings. Mr. McLearen then reviewed the financial report stating that they had issued an unmodified/clean opinion as previously mentioned. He also stated that the general fund balance was approximately \$12 million and the unassigned amount was approximately \$11.3 million (unrestricted and available for appropriation at the Board's discretion). He further stated that the general fund had an increase of \$3.5 million for year ended June 30, 2019. He then stated that in conclusion, the internal control was very vital organization and they were required to test those in detail and pleased to disclose no significant deficiencies and no material weaknesses in the County's reporting structure. Mr. McLearen stated that the federal compliance was also tested in a very detailed manner and he was pleased to report that there was an unmodified/clean opinion on the audit with federal compliance.

Mrs. Parson asked if there were any questions. There were none.

In Re: Citizens Comments

Mrs. Parson addressed the public stating that anyone wishing to address the Board of Supervisors to please come forward and state their name for the record. There were none.

In Re: Resolution #20-96 - Agreement between Greensville County and Hurt & Profitt Inc for the Provision of Web GIS Services

Mrs. Parson stated that Staff was requesting this item was extended until June. She stated that it was brought to Staff's attention that the current contract stood for a length of time from when the old one expired to the first of the fiscal of year. She then stated that in May or June Staff would circulate RFP's for the procurement of a new contract to cover the services required.

There was a consensus among the Board to defer the item until June 2020.

In Re: Black History Resolution #20-97

Chairman Astrop read the following resolution into record and Staff requested approval.

RESOLUTION #20-97 RECOGNITION OF BLACK HISTORY MONTH FEBRUARY 2020

WHEREAS, the month of February has been set aside as a time to recognize accomplishments by African-Americans; and

WHEREAS, two natives of Southside Virginia, the late Dr. Charles Drew and Dr. Carter G. Woodson, and many others were instrumental in initiating scholarly studies of black history and other historical endeavors; and

WHEREAS, the late Garland P. Faison, was the first African-American to hold elected office in Greensville County; first as Justice of the Peace and then as a member of the Board of Supervisors for 20 years where he was dedicated to improving conditions in the County for all citizens; and

NOW, THEREFORE, BE IT RESOLVED that the Greensville County Board of Supervisors does hereby recognize February 2020 as Black History Month in Greensville County.

BE IT FURTHER RESOLVED that the Board of Supervisors encourages all Greensville County residents to actively pursue information that will enlighten them on the many valuable accomplishments to Greensville County by African Americans.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve Resolution #20-97. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye. Pictures were taken.

In Re: Recognitions of Black History Month

There were presentations given by the following:

Mrs. Thelma Atkins-Riley gave background information pertaining to Mrs. Dorothy Knox, Mr. John Knox and Mr. Moses Knox.

Rev. Dr. A Eugene Wiggins gave a presentation regarding Mr. Henry Evans.

Dr. Carolyn Carey gave a presentation regarding Dr. Willie D. Joyner.

In Re: Resolution #20-98 - Nutrient Credits for 301 North Sidewalk Project

Mr. Lin Pope, Director of Planning, stated that construction was about to begin on the 301 N. Sidewalk Project. He stated that it would start at the Greensville County Elementary School and end Crescent Road. He stated that in order to do so, the County must purchase 0.89 pounds of phosphorus credits and retire 8.10 pounds of nitrogen credits as a part of the project. Mr. Pope stated that cost of the credits were \$16,020 and Staff was requesting approval of the following resolution.

RESOLUTION #20-98 RE: CBAY-VA LLC 301 N SIDEWALK PROJECT

WHEREAS, the Greensville County Board of Supervisors approved the implementation of the 301 North Sidewalk Project; and

WHEREAS, Greensville County must acquire 0.89 pounds of phosphorus credits and retire 8.10 pounds of nitrogen credits as a part of the project; and

WHEREAS, Greensville County procured the acquisition of nutrient credits from CBAY-VA LLC; and

WHEREAS, adequate funds in the Project Budget for these credits are already included and approved.

IT IS HEREBY RESOLVED by the Greensville County Board of Supervisors as follows:

- 1. That the contract with CBAY-VA Bank in the amount of \$16,020 is hereby accepted contingent on the contract approval by the County Attorney; and
- 2. That the County Administrator is hereby authorized to execute the contract after its approval by the County Attorney.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve Resolution #20-98 and authorization that the County Administrator execute the contract. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Exit 8 Street Lights

Mr. Pope stated that the Transportation Safety Commission requested Staff to study the possibility of installing streetlights at the Highway 301 S. and I-95, Exit 8 Interchange. He stated that there was a lot of foot traffic in the area at the interchange and it was poorly lit. He also stated that he met with a representative from Mecklenburg Electric and there were two existing poles in the area for the lighting. Mr. Pope stated there would be no cost for the installation of the lights being there were existing poles but there would be an \$18 per month reoccurring charge. He stated that the Transportation Safety Commission and Staff recommended approval.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve the Exit 8 Streetlights project. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

In Re: Resolution #20-99 - Fountain Creek Solar Project #2232

Mr. Pope stated on January 3, 2020, Fountain Creek Solar submitted an application to the Planning Commission to determine if the projected solar project was in conformance with the County's Comprehensive Plan. He stated that from the date the application was received, the Planning Commission had 60 days to take action. He also stated that at the last meeting, the Planning Commission voted to defer action until their next meeting, which would be held past the 60 days for an extension. Mr. Pope stated Staff was requesting approval of the following resolution to give the Planning Commission an additional 60 days to make a decision regarding Fountain Creek Solar.

Supervisor Cain stated that it was discussed in the Planning Commission to give Fountain Creek Solar 30 days. He stated that he would like to see it come back to the Planning Commission within 30 days.

Mr. Pope stated that the resolution would need to be amended to give the Planning Commission until April 1, 2020.

RESOLUTION #20-99

APPROVING THE EXTENSION OF PLANNING COMMISSION'S REVIEW OF THE APPLICATION OF FOUNTAIN CREEK SOLAR PROJECT, LLC REQUESTING REVIEW PURSUANT TO VA. CODE ANN. § 15.2-2232

Recitals

- R-1 Fountain Creek Solar, LLC, submitted an application dated January 3, 2020, for review of its proposed solar facility pursuant to Va. Code Ann. § 15.2-2232 ("Application").
- R-3 Va. Code Ann. § 15.2-2232(B) provides for the Planning Commission to take action on the Application within sixty (60) days of the date of the Application unless such review period is extended by the Board of Supervisors.
- R-4 The Board of Supervisors desires to extend the Planning Commission's deadline for review of the Application from March 2, 2020, to April 1, 2020.

Resolution

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of Greensville County, Virginia, as follows:

- 1. As authorized by Va. Code Ann. § 15.2-2232(B), the Board of Supervisors extends the time period for the Planning Commission to the review the Application from March 2, 2020, to April 1, 2020.
- 2. This Resolution shall take effect immediately.

Supervisor Conwell moved, seconded by Supervisor Brown, to approve Resolution #20-99 as amended. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, opposed; Supervisor Conwell, aye and Chairman Astrop, aye.

Adjournment

With there being no further business to discuss, Supervisor Conwell moved, seconded by Supervisor Brown, to adjourn the meeting. A roll call vote was taken as follows: Supervisor Brown, aye; Supervisor Cain, aye; Supervisor Conwell, aye and Chairman Astrop, aye.

Belinda D. Astrop, Chairma	nn
Brenda N. Parson, Clerk	

RESOLUTION # 20-102

FY 20 BUDGET AMENDMENT

BE IT RESOLVED by the Greensville County Board of Supervisors that the following budget amendments be and hereby are made for the period of July 1, 2019 through June 30, 2020.

FUND	ш	AAT
RINI	#	1111

	CHARGES FOR HEALTH Telecommunications	\$452.95
	HEALTH DEPARTMENT Telecommunications	\$452.95
	Belinda D. Astrop, Chair Greensville County Boar	
ATTEST:	·	
	Board of Supervisors	
Adopted this	day of	

RESOLUTION # 20-103

FY 20 BUDGET AMENDMENT

BE IT RESOLVED by the Greensville County Board of Supervisors that the following budget amendments be and hereby are made for the period of July 1, 2019 through June 30, 2020.

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FUND # 013	
REVENUE	
3-013-16010 Law Library 0004 Law Library	\$104.80
EXPENDITURE	
4-013-21800 Law Library 0100 Law Library	\$104.80
Belinda D. Astrop,	Chairman
ATTEST:	y Board of Supervisors
Denise Banks, Clerk Greensville County Board of Supervisors	
Adopted thisday of,	.

RESOLUTION# 20-104

FY 20 BUDGET AMENDMENT

BE IT RESOLVED by the Greensville County Board of Supervisors that the following budget amendments be and hereby are made for the period of July 1, 2019 through June 30, 2020.

FUND # 017	
REVENUE	
3-017-24040 GRANTS 0007 Litter Control Program:Recycling	\$3,000.00
EXPENDITURE	
4-017-42600 SWEF 5845 Litter Prevention & Recycling Grant	\$3,000.00
Belinda D. Astrop, Chairman Greensville County Board of S	upervisors
ATTEST:	
Denise Banks, Clerk Greensville County Board of Supervisors	
Adopted thisday of	

COUNTY OF GREENSVILLE

Fund#_	18	VOUCH	ER	JV#	2
	ACCOUNT	AMOUNT		ACCOUNT	AMOUNT
33300 5540 6014	Southside Comm Co	1,000.00 16,452.00 3,500.00	33300 1100 2300	Southside Comm Con Pretrial Salaries Health Insurance	17,531.00 3,421.00
5540 6014	Probation Travel Supplies/Other Equipment	1,000.00 16,452.00 3,500.00	1100	Probation Salaries Health Insurance	17,532.00 3,420.00
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approve	ed the transfers				
Alice Wh		2/27/2020 Date	Approv	ed By	Date

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Date

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DEPT 8 - D44400 MSREENSVILLE COUNTY GOVERNMENT GTSM

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55 FAY 35 PASE 11 TRUBECE INCENCES DESCRIPTION CHARGE TO 2/25/2020 AF375 FUND G — 010 MASEE VERDUR SAME

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COUNTY OF GREENSVILLE BUILDING AND PLANNING DEPARTMENT

TO:

The Honorable Board of Supervisors

FROM:

Linwood E. Pope, Jr.

RE:

Planning Commission Report - SP-1-20 Jarratt Energy Facility

DATE:

February 12, 2020

Please see the attached Planning Commission Report from the February 11, 2020 meeting. Please bring the Planning Commission agenda provided to you prior to February 11, 2020 meeting. Thank you.

LEP, Jr./tcp

Commission Report Jarratt Energy Solar Project Special Use Permit SP-1-20 Greensville County, Virginia

Report Date: February 12, 2020
Board of Supervisors Meeting Date: February 17, 2020

APPLICATION SUMMARY

Project:

Jarratt Energy Solar Project

Location:

Located on the south side of Wyatts Mill Road at Sykes Lane

toward Allen Road west of Jarratt in Greensville County,

Virginia.

Parcel Record Numbers:

11-36, 11-37, 11-37A, 11-55

Proposal:

Applicant's request for a Special Use Permit for a 49 megawatt

(MW) solar energy facility in the A-1 Zoning District

Application Submitted:

January 14, 2020

Conceptual Site Plan updated January 28, 2020

Applicant:

Jarratt Energy Facility, LLC

939 Pearl Street, Suite 210

Boulder, CO 80302

Representative:

Sam Gulland

sgulland@torchcleanenergy.com

703-999-4280

Owners:

See Attachment A

PROPOSED DEVELOPMENT

The Applicant proposes to construct a 49 megawatt (alternating current) photovoltaic solar energy generation facility on four (4) parcels consisting of a total of approximately 474 acres with approximately 70% solar panel coverage. The nearby Fields Substation north of Wyatts Mill Road allows for interconnection to the grid.

The largest parcel in the project area (11-55), located on the south side of Wyatts Mill Road at Sykes Lane west of Jarratt, is bisected by a linear parcel (11-7) formerly for a railroad and now for the Virginia Beach/Lake Gaston water pipeline. Parcel 11-7 is not in the project area.

EXISTING CONDITIONS AND ZONING

The project area is zoned A-1 and currently consists of a mixture of timber land, cleared land, and crop land with the land historically used for agricultural and forestry purposes.

The future land use designation for the large parcel (11-55) is Industrial, and it is located in an Enterprise Zone serviced by water and sewer utilities (see Attachment B) three (3) miles from I-95. The future land use designation for the remainder of the application area is Rural Residential.

ADJACENT AND SURROUNDING USES

The largest parcel in the project area (11-55), located on the south side of Wyatts Mill Road at Sykes Lane west of Jarratt, is bisected by a linear parcel (11-7) formerly for a railroad and now for the Virginia Beach/Lake Gaston water pipeline. Parcel 11-7 is owned by the City of Virginia Beach. The portion of the former railroad right of way in Brunswick County (west of Greensville) has been converted to a trail. The Future Land Use Plan indicates the section of the former railroad right of way from Brunswick County to parcel 11-55 (coinciding with the border of the Enterprise Zone) has been identified for a trail. In the case of future development of a continuation of a trail on parcel 11-7, adequate setbacks shall be maintained around the parcel to allow for a vegetated buffer.

The application property is bordered by:

- R1-B zoning for ten small parcels along Wyatts Mill Road. One of the parcels is on on the south side of Wyatts Mill Road surrounded on three sides by parcel 11-55.
- A-1 zoning to the north of Wyatts Mill Road. These parcels are part of the Enterprise Zone serviced by water and sewer utilities (see Attachment B).
- A-1 zoning to the south of the project area consisting of a mixture of cleared land and existing timber land. The future land use designation is Rural Residential.
- M-1 zoning to the west of the project area.

The application property is not proximate to any scenic byways or known historic resources.

COMPREHENSIVE PLAN CITATIONS

In September 2019, the County Board of Supervisors amended the Comprehensive Plan to provide guidance on utility-scale solar development. The relevant sections are:

> GREENSVILLE COUNTY TODAY

ECONOMIC & BUSINESS ENVIRONMENT

Utility-Scale Solar Facilities greater than 1 MW_{AC} are one of Greensville County's newest industrial scale land uses, with interest throughout the County. Greensville's agricultural land combined with its electrical infrastructure and transportation system, appear to be attractive to the solar industry. The potential impacts of a solar facility must be carefully considered because of the size and scale of the use; the potential conversion of land to an industrial scale use, with few permanent jobs, that was productive agricultural/forestal land or potential residential, commercial, or industrial land; and the potential impact on nearby properties and the character of the area in general.

GOALS AND OBJECTIVES

GENERAL

- 1) Provide adequate governmental services, including public utilities, to meet the needs of Greensville's citizens.
- 2) Coordinate development with the provision for public utilities and services.
- 3) Preserve the rural character of the County by directing and controlling growth in designated areas.

LAND USE GENERAL

- 1) Encourage new development that complements surrounding uses.
- 2) Concentrate development in appropriate locations by encouraging more efficient site design and incorporating proper buffers between differing uses.

RESIDENTIAL

3) Prevent the encroachment of conflicting land uses on existing viable neighborhoods.

COMMERCIAL/INDUSTRIAL

5) Evaluate large scale industrial economic development projects that will provide an economic benefit to the County but that may not be in designated development areas or near major transportation systems.

PUBLIC FACILITIES

3) Plan accordingly for the future needs of the population.

> PLANNING ISSUES & STRATEGIES

LOCAL PRODUCTION OF RENEWABLE ENERGY

1) There is interest in the construction of Utility-Scale Solar Facilities in the County as a result for the quest to generate environmentally friendly energy.

STRATEGIES/POLICIES

- a. Utility-Scale Solar Facilities greater than 1 MW_{AC} may be acceptable in agricultural zoned districts.
- b. A Decommissioning Plan will be provided by the owner of Utility-Scale Solar Facilities to ensure to proper dismantling of the project.

AGRICULTURAL AND FORESTAL LAND ISSUES

1) There is concern to maintain the agricultural characteristics of the County not included in the Urban Services District.

STRATEGIES/POLICIES

a. Re-evaluate current development standards to ensure all areas that lie within the Rural Development Area, with the exception of Major Commercial Hub, maintain these agricultural and rural development qualities.

> THE LAND USE PLAN

RECOMMENDED LAND USE CATEGORIES

Land use categories are general indications of what the community would like to see in the future. They are not the same as zoning classifications. Zoning designations are more detailed and site-specific and carry the power of law. The land use categories are set for in this plan as a guide for future rezoning and review of zoning requests.

3. Rural Residential; Conservation Area

Characterized by low-density residential development such as detached single-family units on lots larger than urban or suburban lots. Certain agricultural and farming uses are typically allowed. In addition, large scale economic development projects may be allowed subject to required land use approvals as approved by the Board of Supervisors.

COMMERCIAL USES

UTILITY-SCALE SOLAR FACILITIES

A relatively new land use to Greensville County is the emergence of utility-scale solar facilities. These facilities can be an industrial-scale land use that may occupy significant acreage. As used in this Comprehensive Plan, a utility-scale solar facility is a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider or a large private user with a generating capacity in excess of one megawatt (1 MW). Greensville's abundant agricultural and forest land combined with its electrical infrastructure and transportation system appear to be attractive to the solar industry. These facilities are an industrial scale land use that occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

The County will consider solar facilities on districts zoned agricultural, industrial, or commercial (based on project size) with preference for brownfields. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar

facilities on County land use patterns as part of the evaluation of a Special Use Permit (SUP) application:

- 1) The total size shall be larger than two (2) acres and less than 1,000 acres with no more than 75% PV panel coverage;
- 2) Located outside growth areas;
- 3) Further than one (1) mile from any village, town, city boundary;
- 4) Further than one and a half (1.5) miles from other existing or permitted solar facilities;
- 5) Within one (1) mile of electric transmission lines; and
- 6) Distance from residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

ZONING ORDINANCE PROVISIONS

In September 2019, the County Board of Supervisors amended the Zoning Ordinance (Articles 4, 12, 23, and 24) to permit solar energy facilities (projects) by special use permit (Conditional Planned Use Development) in the A-1 zoning district.

As set forth in the Zoning Ordinance:

A conditional planned use development provides for the planning commission to recommend, and the board of supervisors to authorize, specific uses not permitted within a specific zoning district, provided that the board of supervisors considers the following in making their determination:

- (a) That the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the development.
- (b) That the uses permitted by such exception are not of such a nature or located so as to exercise a detrimental influence on the surrounding neighborhood.
- (c) If a use is not specifically enumerated in the zoning ordinance by-right, special exception, or special use in any district, then the planning commission may recommend and the board of supervisors may authorize such use. Nothing contained in this section shall be construed to permit the approval of any use specifically prohibited.

STAFF ANALYSIS

This proposed solar project is located on four parcels, the largest of which (11-55) is

- · designated as Industrial in the future land use map,
- located in an Enterprise Zone serviced by water and sewer utilities three (3) miles from 1-95,
 and
- bisected by a linear parcel (11-7) formerly for a railroad and now for the Virginia Beach/Lake Gaston water pipeline.

Parcel 11-7 is not in the project area. The portion of the former railroad right of way in Brunswick County (west of Greensville) has been converted to a trail. The Future Land Use Plan indicates the section of the former railroad right of way from Brunswick County to parcel 11-55 (coinciding with the border of the Enterprise Zone) has been identified for a trail. In the case of future development of a continuation of a trail on parcel 11-7, adequate setbacks shall be maintained around the parcel to allow for a vegetated buffer.

The future land use designation for the remaining three parcels is Rural Residential. Adequate setbacks and buffer plantings are necessary to mitigate impacts to the rural character and neighboring land use.

In the application materials dated January 2020 (Attachment A), the applicant states the project was designed to minimize impacts on surrounding properties and the neighborhood; avoid, minimize, and mitigate cultural resources, wetlands, and stream impacts; and preserve the natural environment. The application includes a draft decommissioning plan that is intended to return the land to agrarian use.

The applicant identified the creation of construction jobs and economic benefits of the construction process as benefits to the County and stated that solar facilities do not require the expansion of services or create new residential growth.

The Conditional Use Planned Development considerations cited above are addressed more thoroughly below.

(a) That the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the development.

Local production of renewable energy is identified in the Greensville Comprehensive Plan as a planning issue and Solar Energy Projects greater than 1 MW_{AC} in agricultural zoned districts may be acceptable. The Planning Commission must determine if the Solar Facility (the primary purpose of the development) is appropriate in the proposed location.

(b) That the uses permitted by such exception are not of such a nature or located so as to exercise a detrimental influence on the surrounding neighborhood.

Solar energy facilities may be compatible with neighboring agricultural and rural uses if they are not located in proximity to, or within sight of, scenic routes or historic or recreational resources, and if they are appropriately screened from public rights-of-way and adjacent properties. Meeting and exceeding zoning district setbacks at the project boundary and natural and additional screening will help to ensure that the surrounding area is buffered from the Project.

(c) If a use is not specifically enumerated in the zoning ordinance by-right, special exception, or special use in any district, then the planning commission may recommend and the board of supervisors may authorize such use. Nothing contained in this section shall be construed to permit the approval of any use specifically prohibited.

Not applicable. The Zoning Ordinance permits a Solar Energy Project greater than 1 MW_{AC} as a Special Use through a Conditional Use Planned Development approval in Agricultural zoned districts.

Section 4-4 of the Zoning Ordinance outlines the general conditions that apply to all special uses as listed below.

(a) The use shall be designed or arranged on the land in such a way as to cause no more adverse impact on the adjacent property, and/or the neighborhood than might be caused by the least restrictive use otherwise permitted by right in the district.

Adequate project setbacks, buffers, and screening are critical to ensuring this criterion is met.

(b) The use shall comply with all licensing requirements, if any, of any County, State or Federal government or agency.

The proposed conditions ensure compliance with all County, state, and federal governmental licensing requirements applicable to the Project.

(c) The use shall not be operated as to cause a nuisance to the neighborhood in which it is located.

Adequate project setbacks, buffers, and screening are critical to ensuring this criteria is met.

(d) In granting a special use, the Board of Supervisors shall consider the public convenience, necessity and general welfare and its action shall also be consistent with good zoning practices.

The Planning Commission must determine if the Solar Facility will maintain the public welfare and be consistent with upholding good zoning practices if it meets or exceeds the requirements of the Zoning Ordinance applicable to Solar Projects in the A-1 Zoning District.

Zoning Ordinance, Article 16, states that a special use permit (SUP) shall not be issued unless the Board of Supervisors finds that the proposed use (1) would not be detrimental to the community and (2) is in conformity with the Comprehensive Plan and Policies.

1. Project Would Not Be Detrimental to the Community

As required by the Greensville County SUP application, the following considerations should be adequately addressed for the proposed Project: traffic, noise, lighting, dust, fumes, vibrations, operational details, hours of operation, number of employees, type of equipment, and signage.

All of the above considerations are addressed in some manner in the Application (Attachment A). The Planning Commission must determine if the proposed conditions will ensure that the Applicant/Owner will adequately address these project details so that the Solar Facility will not constitute a detriment to the community during the proposed commercial operation duration (approximately 40 years) of the Project.

2. Project is in Conformity with Comprehensive Plan and Policies

Jarratt Energy Facility, LLC submitted a 15.2-2232 Review application for the proposed Project in October 2019. The 15.2-2232 staff report included a review of the County's Comprehensive Plan goals and objectives, and the Planning Commission determined the proposed Project is substantially in accord with the County's Comprehensive Plan.

Primary Issues

As part of the 2232 review process, staff identified a few issues that should be addressed in the SUP – setbacks, buffer plantings, wildlife corridors, grading plan, and decommissioning plan.

Setbacks – The applicant proposed a 150-foot setback from Wyatts Mill Road and all external parcel boundaries excluding (as described on pages 16-18 of Attachment A but not shown in Exhibit B):

• The western boundary of parcel 11-55. This parcel abuts M-1 zoned parcels 11-5 and 11-3-3 (both owned by Boars Head Provision Co Inc). The applicant requests a 75-foot setback along this boundary.

• The western boundary of parcels 11-36 and 11-37A. These parcels abut A-1 zoned parcels 11-33 and 11-34 which are undevelopable due to the Otterdam Swamp. The applicant requests a 75-foot setback along this boundary.

The applicant proposed a 20-foot setback from the internal boundaries of parcel 11-7 (as shown in Attachment A Exhibit B). This parcel is approximately 50-foot wide and home to the Virginia Beach/Lake Gaston water pipeline. The applicant proposed to confer with the Planning Director on the status of creating a trail on the parcel at each recalculation of the decommissioning estimate (every 5 years). If construction of the trail on a parcel adjacent to 11-7 has begun, the applicant will install signs identifying the utility-scale solar facility (if requested by the County), install a viewing platform and educational kiosk, and plant high-growing, pollinator-friendly, native plants in the 20-foot setback.

Staff recommends approving setbacks as proposed.

Buffer plantings — The applicant proposes a vegetative buffer 100-foot wide in the 150-foot setbacks and 60-foot wide in the 75-foot setbacks. The majority of setbacks already have the 100-foot or 60-foot buffer with existing trees. Where wetlands are present in the setback, they will be allowed to regrow naturally. At these locations, the setbacks to the fence and panels are generally greater than 150-foot due to the terrain.

The applicant coordinated with the landowners to maintain a 25-foot buffer of mature trees along a few sections of Wyatts Mill Road (Attachment A Exhibit C). Behind the existing trees, the applicant proposes planting a staggered single row of 4-feet tall evergreen trees and planting seedlings in the remainder of the vegetative buffer.

The applicant does not propose planting a vegetative buffer in the 20-foot wide setback around parcel 11-7. Parcel 11-7's vegetation is maintained to provide access to the water line, and the parcel includes many wetland features. As noted in the setback section above, if construction of the trail on a parcel adjacent to 11-7 has begun by a five year review, the applicant will plant high-growing, pollinator-friendly, native plants in the 20-foot setback.

Staff recommends approving buffer plantings as proposed.

Wildlife corridors – The applicant indicated two wildlife corridors on the site plan in addition to the corridor created by parcel 11-7. These appear to be natural locations for corridors following streams and wetlands.

Staff recommends approving wildlife corridors as proposed.

Grading Plan - A preliminary grading plan was provided (Attachment A Exhibit E).

Staff recommends all plans should be reviewed by a third party (County on-call engineer) prior to submission for review. Separate securities (cash escrow, letter of credit, insurance bond) should be posted for this work (grading, ESC, SWP) prior to any issuance of a land disturbance permit.

Decommissioning Plan – A decommissioning plan was provided (Attachment A Exhibit I). The plan states that all materials, equipment, and waste will be fully removed excluding concrete foundations, which will be removed only to a depth of 3-foot below grade. The plan also states that the project site will be returned to it's previous condition, and that, if agreed upon with the landowner, the access roads may be kept in place.

Staff recommends:

All materials, equipment, and waste be removed to their full depth.

• The applicant specify the restoration criteria (pre-timbered or post) and factoring that cost into the decommissioning estimate and security.

• Requests from the landowners regarding site restoration (e.g. leaving access roads in place) be provided in writing.

A decommissioning bond should be received prior to issuance of the building permit.

Conditions

If the Planning Commission determines that the application furthers the Comprehensive Plan's goals and objectives and that it meets the criteria set forth in the Zoning Ordinance, then staff recommends the following conditions to mitigate the adverse effects of this utility-scale solar generation facility with any recommendation for approval.

- 1. The Applicant will develop the Project Site in substantial accord with the Conceptual Site Plan dated January 14, 2020 included with the application (Attachment A, Exhibit B) as determined by the Zoning Administrator. Significant deviations or additions including any enclosed building structures to the Preliminary Site Plan will require review and approval by the Planning Commission and Board of Supervisors.
 - As used in these conditions, the "Project Site" shall include the "Solar Facilities." The "Solar Facilities" shall mean the area(s) shown on the Conceptual Site Plan containing racking, panels, and inverters located within the perimeter fencing, and including all fencing.
- 2. Site Plan Requirements. In addition to all Virginia site plan requirements and site plan requirements of the Zoning Administrator, the Applicant shall provide the following plans for review and approval for the Solar Facility prior to the issuance of a building permit:
 - a. Construction Management Plan. The Applicant shall prepare a "Construction Management Plan" for each applicable site plan for the Solar Facility, and each plan shall address the following:

- i. Traffic control methods (in coordination with the Virginia Department of Transportation [VDOT] prior to initiation of construction): i. Lane closures, ii. Signage, and iii. Flagging procedures.
- ii. Site access planning. Directing employee and delivery traffic to minimize conflicts with local traffic.
- iii. Site security. The Applicant shall implement security measures prior to the commencement of construction of Solar Facilities on the Project Site.
- iv. Lighting. During construction of the Solar Facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and/or safety lighting shall be exempt from this construction lighting condition.
- b. Construction Mitigation Plan. The Applicant shall prepare a "Construction Mitigation Plan" for each applicable site plan for the Solar Facility, and each plan shall address the effective mitigation of dust, burning operations, hours of construction activity, access and road improvements, and handling of general construction complaints as set forth and described in the application materials and to the satisfaction of the Zoning Administrator.
- c. Grading plan. The Project shall be constructed in compliance with the County approved grading plan as determined and approved by the Zoning Administrator or his designee prior to the commencement of any construction activities and a bond or other security will be posted for the grading operations. The grading plan shall:
 - i. Clearly show existing and proposed contours;
 - ii. Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded;
 - iii. Limit grading to the greatest extent practicable by avoiding steep slopes and laying out arrays parallel to landforms;
 - iv. An earthwork balance will be achieved on-site with no import or export of soil;
 - v. In areas proposed to be permanent access roads which will receive gravel or in any areas where more than a few inches of cut are required, topsoil will first be stripped and stockpiled on-site to be used to increase the fertility of areas intended to be seeded;
 - vi. Take advantage of natural flow patterns in drainage design and keep the amount of impervious surface as low as possible to reduce storm water storage needs.
- d. Erosion and Sediment Control Plan. The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain and operate the project in compliance with the approved plan. An E&S bond (or other security) will be posted for the construction portion of the project.
- e. Stormwater Management Plan. The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator

shall construct, maintain and operate the project in compliance with the approved plan. A storm water control bond (or other security) will be posted for the project for both construction and post construction as applicable and determined by the Zoning Administrator.

- f. Project Screening and Vegetation Plan. The Proposed Planting and Landscaping Maintenance Plan, dated January 14, 2020, is provided with this application (Attachment A, Exhibit C). The final plan will address the conditions below in item 4.b. The owner or operator shall construct, maintain and operate the facility in compliance with the approved plan. A separate security shall be posted for the ongoing maintenance of the project's vegetative buffers in an amount deemed sufficient by the Zoning Administrator.
- g. The Applicant shall reimburse the County its costs in obtaining an independent third-party review of any site plans or construction plans or part thereof.
- h. The design, installation, maintenance and repair of the Solar Facility in accordance with the most current National Electrical Code (NFPA 70) available (2014 version or later as applicable).

3. Operations.

- a. Permanent Security Fencing. The Applicant shall install permanent security fencing, consisting of chain link, two-inch square mesh, six (6) feet in height, surmounted by three strands of barbed wire, around the Solar Facilities prior to the commencement of operations of the Solar Facilities. Failure to maintain the fence in a good and functional condition will result in revocation of the permit.
- b. Lighting. Any on-site lighting provided for the operational phase of the Solar Facility shall be dark-sky compliant, shielded away from adjacent properties, and positioned downward to minimize light spillage onto adjacent properties.
- c. Noise. Daytime noise will be under 67dBA during the day with no noise emissions at night.
- d. Ingress/Egress. Permanent access roads and parking areas will be stabilized with gravel, asphalt or concrete to minimize dust and impacts to adjacent properties.

4. Buffers.

a. Setbacks.

- i. "Principal Solar Facility Structure" shall include racking, panels, inverters, and security fencing on the Project Site, but shall not include roads or transmission poles.
- ii. A minimum 150-foot setback shall be maintained from a Principal Solar Facility Structure to the street line (edge of right-of-way) where the Property abuts any public rights-of-way.
- iii. A minimum 150-foot setback shall be maintained from a Principal Solar Facility Structure to the adjoining property line on the south and east sides of the project.
- iv. A minimum 75-foot setback shall be maintained from a Principal Solar Facility Structure to the adjoining property line on the west side of the Project Site abutting parcels 11-5, 11-3-3, 11-34, and 11-33.

v. A minimum 20-foot setback shall be maintained from a Principal Solar Facility Structure to the adjoining internal property line or parcel 11-7.

vi. There shall be no setbacks between internal lot lines between

parcels 11-36, 11-37, 11-37A, 11-55 on the Property.

b. Screening.

- i. Existing vegetation provides a buffer 100-foot wide in the 150-foot setbacks and 60-foot wide in the 75-foot setbacks.
- ii. Where existing vegetation provides only a 25-foot buffer in the 150-foot setback, a staggered single row of 4-feet tall evergreen trees and seedlings will be planted in the remainder of the vegetative buffer according to the Proposed Planting and Landscaping Maintenance Plan dated January 14, 2020, provided with this application (Attachment A, Exhibit C).
- iii. Existing wetland areas will be allowed to regrow naturally.
- iv. No vegetative buffer is required to be planted in the 20-foot wide setback around parcel 11-7 at the time of construction. When the Applicant, or its successor, updates the decommissioning cost estimate every five (5) years, he will confer with the County Zoning Administrator on the status of construction of the trail along the Lake Gaston Pipeline. If construction of a trail on a parcel adjacent to 11-7 has begun, a 20-foot vegetative buffer of high-growing, pollinator-friendly, native plants will be planted.
- c. Ancillary project facilities may be included in the buffer as described in the application where such facilities do not interfere with the effectiveness of the buffer as determined by the Zoning Administrator.
- d. Wildlife corridors. The Applicant shall provide two (2) access corridors for wildlife to navigate through the Project Site. The proposed wildlife corridors shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.
- 5. Height of Structures. Principal Solar Facility Structures shall not exceed 15' maximum (with a 10' maximum drip edge). Towers constructed for electrical lines and meteorological stations may exceed the maximum permitted height as provided in the A-1 zoning district regulations (§16-2), provided that no structure shall exceed the height of 25 feet above ground level.
- 6. Inspections. The Applicant will allow designated County representatives or employees access to the facility at any time for inspection purposes as set forth in their application.
- 7. Training. The Applicant shall arrange a training session with the Greensville Fire Department to familiarize personnel with issues unique to a solar facility before operations begin.
- 8. Compliance. The Solar Facility shall be designed, constructed, and tested to meet relevant local, state, and federal standards as applicable.
- 9. Decommissioning.
 - a. Decommissioning Plan. The Applicant shall submit a decommissioning plan to the County for approval in conjunction with the building permit. The purpose of the decommissioning plan is to specify the procedure by which the Applicant or its

- successor would remove the Solar Facility after the end of its useful life and to restore the property for agricultural uses.
- b. Decommissioning Cost Estimate. The decommissioning plan shall include a decommissioning cost estimate prepared by a Virginia licensed professional engineer unless the Applicant is not required to provide a security or the County approves an alternative security arrangement (subsection c. (iv) and (v) below).
 - i. The cost estimate shall provide the gross estimated cost to decommission the Solar Facilities in accordance with the decommissioning plan and these conditions. The decommissioning cost estimate shall not include any estimates or offsets for the resale or salvage values of the Solar Facilities equipment and materials.
 - ii. The Applicant, or its successor, shall reimburse the County for an independent review and analysis by a licensed engineer of the initial decommissioning cost estimate.
 - iii. The Applicant, or its successor, will update the decommissioning cost estimate every five (5) years and reimburse the County for an independent review and analysis by a licensed engineer of each decommissioning cost estimate revision.

c. Security.

- i. Prior to the County's approval of the building permit, the Applicant shall provide decommissioning security in the form of a Letter of Credit for Full Decommissioning Cost. A letter of credit issued by a financial institution that has (i) a credit Rating from one or both of S&P and Moody's, of at least "A" from S&P or "A2" from Moody's and (ii) a capital surplus of at least \$10,000,000,000; or (iii) other credit rating and capitalization reasonably acceptable to the County, in the full amount of the decommissioning estimate; or
- ii. Upon the receipt of the first revised decommissioning cost estimate (following the 5th anniversary), any increase or decrease in the decommissioning security shall be funded by the Applicant, or refunded to Applicant (if permissible by the form of security), within ninety (90) days and will be similarly trued up for every subsequent five year updated decommissioning cost estimate.
- iii. The security must be received prior to the approval of the building permit and must stay in force for the duration of the life span of the Solar Facilities and until all decommissioning is completed. If the County receives notice or reasonably believes that any form of security has been revoked or the County receives notice that any security may be revoked, the County may revoke the special use permit and shall be entitled to take all action to obtain the rights to the form of security.
- iv. Notwithstanding the foregoing, if a public utility company that is operating in the Commonwealth of Virginia and has an investment grade credit rating with Moody's and/or Standard and Poor's enters into an agreement to acquire and/or lease the Project Site prior to or contemporaneously with the start of construction of the Project, no security shall be required to be issued

- for so long as the utility company owns the project and its credit rating remains at or above investment grade.
- v. Notwithstanding the foregoing requirements in subsections (i)-(iii) above, an alternative security arrangement may be accepted by the County so long as it is a form acceptable to the County Attorney.
- d. Applicant/Property Owner Obligation. Within six (6) months after the cessation of use of the Solar Facilities for electrical power generation or transmission, the Applicant or its successor, at its sole cost and expense, shall commence decommissioning of the Solar Facilities in accordance with the decommissioning plan approved by the County. If the Applicant or its successor fails to timely decommission the Solar Facilities, the property owners shall commence decommissioning activities in accordance with the decommissioning plan. Following the completion of decommissioning of the entire Solar Facilities arising out of a default by the Applicant or its successor, any remaining security funds held by the County shall be distributed to the property owners in a proportion of the security funds and the property owner's acreage ownership of the Solar Facility.
- e. Applicant/Property Owner Default; Decommissioning by the County.
 - i. If the Applicant, its successor, or the property owners fail to timely decommission the Solar Facilities, the County shall have the right, but not the obligation, to commence decommissioning activities and shall have access to the property, access to the full amount of the decommissioning security, and the rights to the Solar Facilities equipment and materials on the property.
 - ii. If applicable, any excess decommissioning security funds shall be returned to the current owner of the property after the County has completed the decommissioning activities.
 - iii. Prior to the issuance of any permits, the Applicant and the property owners shall deliver a legal instrument to the County granting the County (1) the right to access the property, and (2) an interest in the Solar Facilities equipment and materials to complete the decommissioning upon the Applicant's and property owner's default. Such instrument(s) shall bind the Applicant and property owners and their successors, heirs, and assigns. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the Applicant, including under the County's zoning powers.
- f. Equipment/building removal. All physical improvements, materials, and equipment related to Solar Facilities, both surface and subsurface components, shall be removed in their entirety. The soil grade will also be restored following disturbance caused in the removal process. Perimeter fencing will be removed and recycled or re-used. The exception to removal of the materials and equipment would be upon written request from the current or future landowner indicating areas where removal is not desired.
- g. Infrastructure removal. All access roads will be removed, including any geotextile material beneath the roads and granular material. The exception to removal of the access roads and associated culverts or their related material would be upon written

request from the current or future landowner to leave all or a portion of these facilities in place for use by that landowner. Access roads will be removed within areas that were previously used for agricultural purposes and topsoil will be redistributed to provide substantially similar growing media as was present within the areas prior to site disturbance.

- h. Reforestation. The site will be replanted with pine seedlings to stimulate pretimbered pre-development conditions as indicated on the Preliminary Site Plan. The exception to reforestation would be upon written request from the current or future landowner indicating areas where reforestation is not desired.
- i. Partial Decommissioning. If decommissioning is triggered for a portion of the Solar Facilities, then the Applicant or its successor will commence and complete decommissioning, in accordance with the decommissioning plan, for the applicable portion of the Solar Facilities; the remaining portion of the Solar Facilities would continue to be subject to the decommissioning plan. Any reference to decommissioning the Solar Facilities shall include the obligation to decommission all or a portion of the Solar Facilities whichever is applicable with respect to a particular situation.
- 10. Power Purchase Agreement. At the time of the Applicant's site plan submission, the Applicant shall have executed a power purchase agreement with a third-party providing for the sale of a minimum of eighty percent (80%) of the Solar Facility's anticipated generation capacity for not less than ten (10) years from commencement of operation, or an agreement for purchase of the project by an electric utility or electric cooperative operating in the Commonwealth of Virginia. Upon the County's request, the Applicant shall provide the County and legal counsel with a redacted version of the executed power purchase agreement.
- 11. The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within thirty (30) days.
- 12. If the solar facility does not receive a building permit within thirty-six (36) months of approval of the Supplemental Use Permit, the Permit shall be terminated.
- 13. If the solar facility is declared to be unsafe by the zoning administrator or building official, the facility must be in compliance within fourteen (14) days or the Supplemental Use Permit shall be terminated, and system removed from the property.

PLANNING COMMISSION RECOMMENDATION

Recommend approval of the application with the amended conditions (motion made by Kim Wiley; seconded by Jeff Robinson)

I move that the Jarratt Energy Facility, LLC's proposed 49-megawatt photovoltaic Jarratt Energy Solar Project as described in SP-1-20, sufficiently mitigates adverse impacts associated with the project if approved with the conditions as outlined herein and recommended by the Planning Commission.

BOARD OF SUPERVISORS ACTION

The Board has three options:

- a. Approve the application with the recommended or amended conditions.
- b. Deny the application with written reasons for its decision.
- c. Defer the application for further discussion and consideration.

Draft Board Actions

Option 1 - Recommend approval of the application with the stated (or amended) conditions

I move that the Jarratt Energy Facility, LLC's proposed 49-megawatt photovoltaic Jarratt Energy Solar Project as described in SP-1-20, sufficiently mitigates adverse impacts associated with the project if approved with the conditions as outlined herein and recommended by the Planning Commission.

Option 2 - Recommend denial of the application

I move that the Jarratt Energy Facility, LLC's proposed 49-megawatt photovoltaic Jarratt Energy Solar Project as described in SP-1-20, does not sufficiently mitigate the adverse impacts associated with the project and should therefore be recommended for denial. Among other concerns, the Planning Commission finds that,

- 1. The proposed solar energy facility does not preserve the rural character of the County.
- 2. The use is of such a nature or located so as to exercise a detrimental influence on the surrounding neighborhood.
- 3. The proposed solar energy facility does not incorporate sufficient buffers to address the impacts on adjacent areas.
- 4. The application property is designated in the future land use plan as either Rural Residential or Industrial in an Enterprise Zone served by water and sewer utilities, and the 474 acres solar energy facility is inconsistent with this designation.
- 5. The Zoning Ordinance indicates that solar energy facilities may be acceptable if not detrimental to surrounding areas and the proposed facility encroaches on existing residential and agricultural uses.
- 6. Concern regarding the decommissioning of the proposed solar energy facility, such as, financial assurance that the facility will be properly removed and restoration of the application property to its agricultural uses.

Option 3 - Deferral of the application

I move that the Planning Commission defer a decision on Jarratt Energy Facility, LLC's propo	sed 49-
megawatt photovoltaic Jarratt Energy Solar Project as described in SP-1-20, until the P.	ramming
Commission meeting scheduled to begin at p.m. on	_, in the
Board of Supervisors meeting room.	

Attachments:

A - SUP Application dated January 14, 2020 with Exhibit B updated January 28, 2020

B - Maps

Appendix B – Maps Jarratt Energy Solar Project

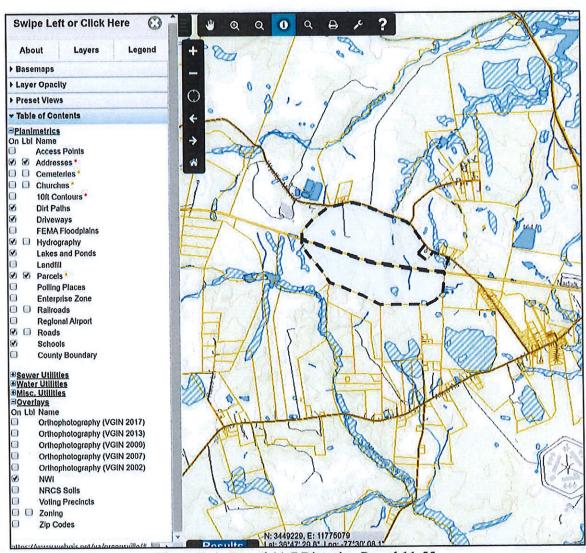


Figure B-1. Parcel 11-7 Bisecting Parcel 11-55

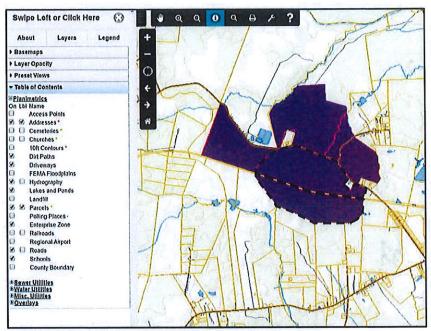


Figure B-2. Enterprise Zone

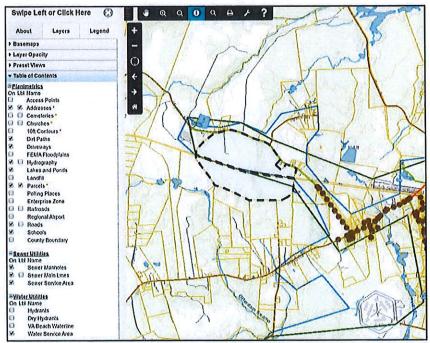


Figure B-3. Water and Sewer Service Areas

COUNTY OF GREENSVILLE

To:

The Honorable Board of Supervisors

From:

Reggie Owens, Program Manager

Vehicle Tax Exemption for Fire/EMS Volunteers

Subject:

February 25, 2020

Date:

Currently, county residents that serve in the Greensville County Fire Department, Jarratt Fire Department and the Greensville Rescue Squad receive a tax break on one vehicle with a maximum reimbursement of \$500. The City of Emporia provides a 100% exemption for one vehicle with no cap. Staff is seeking Board approval to amend the County policy and allow county residents that serve as members of those departments to receive 100% allowance on one vehicle. This change would benefit the members of each department that provide a great service to the community.

Communities like Greensville County rely heavily on the fire/ems departments to provide essential service to the residents without the cost associated with having paid fire/ems. The fact that residents of both Greensville County and the City of Emporia would receive 100% exemption on one vehicle would serve as a great morale booster for the department members.

Feel free to contact me should you need additional information concerning this request.

/s